



The Seattle City Attorney's *Liaison Links*

Quarterly Connection to the People and
Programs of your *Precinct Liaison*
Offices

North - East - West - South/Southwest

Winter 2004

Please visit the Precinct Liaison web site:
www.cityofseattle.net/law/precinct_liaisons

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NEW CHANGES FOR CITY ATTORNEY'S OFFICE & PRECINCT LIAISON PROGRAM

Tom Carr, City Attorney

The most important job of the precinct liaison attorneys is protecting and improving the quality of life in Seattle's communities, and much of their ongoing work—and that of the advocates and staff—goes toward assisting the victims of crime. This critical work is not acknowledged in the name "criminal division."

To better reflect the work of the office's prosecutors, advocates and staff, the criminal division, as part of its move to Key Tower, has been renamed the **Public & Community Safety Division**. This change emphasizes the job of not only prosecuting individual defendants, but work on a broader scale to address how crime impacts our neighbors, and improving the quality

of life for Seattle's citizens.

The change in name to Public & Community Safety Division presages the expansion of its revised mission designed to combine traditional prosecutorial responsibilities with its new role in improving the quality of life in Seattle's communities:

- * Encourage respect for the rule of law by holding offenders accountable through fair and effective enforcement of city and state criminal laws
- * Advocate on behalf of crime victims to ensure that their rights to personal safety, restitution and participation in the criminal justice process are preserved
- * Prevent crime and improve the quality of life in Seattle's neighborhoods by engaging in proactive problem-solving partnerships with residents, the police and other agencies to solve community problems

* Educate and advise city clients and the public on criminal justice matters, and participate in policy development for, and management of, the criminal justice system

This effort is about much more than a new name and expanded mission. Management of the Precinct Liaison Program has moved from the Civil Division to the Public & Community Safety Division (effective January 1, 2004). The Precinct Liaison Program is a model for listening to the community problems and applying creative solutions to improve the quality of life and safety of Seattle's residents and visitors. Moving the Precinct Liaison Program to the Public & Community Safety Division provides for a more integrated and comprehensive approach to community safety while building on the ties established by liaison attorneys and ensuring stronger working relationships with Seattle's neighborhoods.

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Along with this restructure the Precinct Liaison Program will be entirely funded from the City Attorney's budget. Federal monies that funded portions of the program for five years have, unfortunately, been cut. But the program is too essential to Seattle's neighborhoods to lose because of federal budget woes.

Thanks to the work of Phil Brenneman and Bob Hood over the past five years, liaison attorneys bring both criminal and civil law solutions to neighborhood problems once deemed intractable.

SITE 17

Tamera Soukup

The new owners of Belltown's Site 17 Grocery recently entered into a Good Neighbor Agreement with the city that prohibits the sale of high alcohol content beers, fortified wines and single container beers. In addition to the agreement, Harbor Properties, Site 17 landlord, included provisions in the assignment of the lease which prohibit similar alcohol sales.

These provisions are aimed at decreasing the problem behaviors associated with chronic public inebriates. The conditions are nearly the same as those imposed in the Pioneer Square Alcohol Impact Area.

LA LOUISIANA, A GOOD NEIGHBOR

Ed McKenna

The popular eatery La Louisiana applied for a liquor license.

The mere thought of alcohol service on Cherry Street evokes concerns of lawlessness for some in an area where residents have worked hard to restore order. However, community members also want to encourage economic growth of small businesses in their community. They understand that the prosperity of one business can attract other businesses, which, in turn give back to the community. Still, the impact of alcohol sales from an irresponsible business can result in devastating consequences. Without restrictive licenses from the Washington State Liquor Control Board, how can these consequences be mitigated? In the case of La Louisiana this was easy.

Upon learning of the liquor application, the east precinct liaison attorney contacted local community groups and organizations and inquired into their concerns. An overwhelming number responded in support of the La Louisiana's liquor application but only with restrictions on the sale of alcohol. Two local school officials were also contacted: Elaine Packard, Nova School principal, and Jeanne Suleiman, administrator of the nearby Islamic School. Both expressed concern regarding the nearby sale of alcohol but recognized the economic benefits

to the community of a restaurant offering full beverage service. As a result, La Louisiana represented a perfect opportunity to custom tailor a Good Neighbor Agreement. After gathering input and as many opinions as possible, a draft agreement was circulated. Once consensus was obtained, a final draft was prepared and applicant, Tareke Assefaw, was contacted. After reviewing the agreement he expressed relief in knowing the community was supportive, and he signed without hesitation. The agreement provides for, among other things, restrictions on the sale of alcohol, service hours, lounge hours, security and participation in the community's Cherry Street Association.

An overwhelmingly positive response followed the news of Mr. Assefaw's signing the agreement. One area resident, Jon Hughes, summed it up nicely: "This is an example of how the community, school, city, and business can work together to do great things."

PUTTING "THE SPOT" ON THE SPOT

Megan Sheppard

West Seattle Herald, November 2003

Working seamlessly together, city officials padlocked an illegal after-hours club in South Park ... after fire inspectors found 115 people jammed into a facility that has a legal limit of just 29 people at a time — and that was before its "official" open slated for [the previous] weekend.

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“This is an good example of things coming together,” said the Southwest Police Precinct commander, Capt. James Pryor.

After his officers had fielded a growing number of complaints by residents in the neighborhood around the warehouse that was being transformed into a night club, Pryor brought his people together with representatives of the Seattle Fire Department, the Department of Construction & Land Use, the city attorney’s office, and the Liquor Control Board to consider an approach to ensure that the nightclub, known as “The Spot,” could not open, even though some were already partying there.

The owner of the business had failed to apply for a number of necessary permits, and was informed by the joint group of city officials that they could assist the club in becoming legal. But its operator continued to avoid attempts to obey city ordinances. Although the most important violations were related to fire and safety issues, the club owner had failed, despite repeated reminders, to address other ordinances dealing with liquor sales and revenue, taxes, underage drinking, and construction codes and permits.

Community concerns came to light in July, when Officer Ralph Wilson of the Community Patrol Team for South Park, fielded a number of calls about noise,

vehicle traffic, and public beer drinking in the area surrounding the club at 8615 14th Ave. S. — much of it continuing until 5 a.m. Some residents even found strangers passed out in their yards.

Captain Pryor said he was hearing similar complaints from members of the South Park Community Association. By August, all of the agencies involved were beginning to strategize how to best deal with the problems.

Seattle Fire Marshal Gregory Dean was especially concerned, given recent nightclub disasters in Rhode Island and Chicago, in which many lives were lost because of confusion about emergency exits. Given its size, the small, storefront warehouse could safely host, under its current designation as a warehouse, just 29 patrons. In addition to the front door, a sole exit at the rear was the only way out of the building, and it opened directly onto an alley, where traffic would pose a hazard, Dean said.

The business owner refused entry to police and other agencies, first claiming that the location was private residence which would make it exempt from many restrictions enforced for public establishments. Finally, he admitted it was to be a private after-hours club, operating from 2 a.m. to 5 a.m. or later.

Throughout the process, the

business owner deflected concerns, first by denying knowing he needed permits; then by telling inspectors that permits were “in process.” In the end, when asked to provide proof of compliance, he would simply tell anyone inquiring that he “didn’t have the paperwork on hand.”

“Voluntary compliance is the goal,” said [Precinct Liaison] Attorney Tuere Sala. All parties in the coordinated effort expressed a willingness and a desire to work with business owners to meet all ordinances. “But this guy wasn’t dealing in good faith,” said Pryor.

Despite Fire Department warnings, the owner opened the club on October 17th — before an inspection. Police alerted the fire department, which told the owner he could have 15 people in the building for construction purposes, and that an inspection would be scheduled for the 24th. On that day, the owner was still not in compliance, the location was still considered a warehouse, and it was still limited to 29 occupants.

Officials took action early on Oct. 25, after surveillance teams counted more than 75 people enter the building. At 3 a.m., Seattle firefighters and police officers entered the warehouse and arrested the business owner for failure to comply with a fire chief’s order and for engaging in a business without a license. The owner’s business partner was arrested for obstruction after

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refusing five commands by police personnel. Dean said 115 patrons were ejected.

Sala said there is a need to protect the public. "Often people don't know that they're not in a safe place. They're just going (in order) to have a good time."

Pryor said, "Our goal is to eliminate any hazard to public safety. Anything else is secondary."

When asked if "The Spot" could reopen anytime soon, the officials responded it could, as soon as the owner complies with all of the necessary regulations. But Pryor noted the owner's lease [was] set to expire in [December].

PHASE II

Tamera Soukup

As a result of pressure from the Chinatown Business Improvement Association (BIA) and Community Action Partnership (CAP), the owners of Phase II Hobby and Entertainment withdrew their liquor application to sell alcohol from their establishment. Phase II, located at 654 Jackson Street, sells mainly gift and entertainment items. Community members objected to the proposed sale of alcohol because of the problems associated with chronic public inebriation in the neighborhood.

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BIA and CAP representatives pointed out that six off-premise alcohol establishments already exist within the business' four block radius. Competition between these establishments leads to lower alcohol prices, and this results in attracting chronic public inebriates to the neighborhood. Adding one more alcohol establishment to the mix would only exacerbate the problem.

SEATTLE TEAM CHECKS OUT PORTLAND'S COMMUNITY COURTS

Bob Hood

A team from Seattle, including City Attorney Tom Carr and Presiding Municipal Court Judge Fred Bonner, visited the Multnomah County Community Court in Portland, Oregon in late January to examine this innovative approach to public safety. The court has been at the forefront of the community court movement in the United States and opened the North/Northeast Community Court in March 1998. In February of 2000, the Southeast Community Court opened, followed by the Westside Community Court in April 2001. A fourth court opened in Gresham in April 2003. Though originally located in the communities they served, budget cuts forced three of them to be consolidated in the downtown Justice Center.

The court relies on swift and certain outcomes using community service as a sanction

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for low-level, non-violent misdemeanor offenders. Defendants who "opt in" to community court are given a week to complete a community service sanction, and many, if successful, see their charges dismissed or reduced. The court also connects defendants with an extensive network of social service providers who offer assistance *to address underlying problems that can lead to criminal behavior*. Defendants who fail receive an immediate short-term jail sanction. The court handled nearly 6,000 cases last year.

While in Portland, the team received an excellent introduction to the evolution of the community court concept in Portland from Robyn Gregory of the Multnomah County District Attorney's Office. The team also had an opportunity to view the court in action and talk with many of the participants including the judge, prosecutor, public defender and social service providers and screeners.

If you are interested in learning more about this court, visit their web site at: www.co.multnomah.or.us/da/cc/index.php

GASWORKS PARK GRAFFITI-FREE

Ed McKenna

Most people who visit Seattle's Gasworks Park do so for the beautiful view of the city without taking the time to

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GASWORKS PARK

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marvel at the unusual metal structures that abound in the park; few are aware of their historical importance.

At one point there were more than 1,400 industrial plants throughout the United States, producing a gas product from coal and oil. This gas helped fuel America's industrial revolution. Seattle's Gasworks Park is the last remaining gas-producing plant in the United States. In 1999, Gasworks Park was designated a historic landmark. Contained within the Landmark Nomination Application is a record of the park's history and a statement of significance. According to the application, "These structures have been double served by Gasworks Park for not only have they been preserved, but they have been integrated into an innovative, ground-breaking park design ... though obsolete, these towers, machines, and buildings are a monument to humanity's inventiveness and offer a visual statement of pioneering technology." Gasworks Park is not only unique in Seattle but the world as well. Here is how Landscape Australia described Gasworks Park: "The black shapes of the towers on their grassy point leap out with startling clarity against the bright collage of the shoreline, silhouettes that might be the pictogram for the works of industrial man."

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Along with the industrial revolution came pollution, of which Gasworks Park has its share. Then came the lawyers, lawsuits and ultimately a 50-page consent decree regulating what can and cannot be done at Gasworks Park (including a prohibition from eating, drinking or smoking the dirt).

The high visibility of the park, the difficulty and danger of scaling the towers and the difficulty of removal have made Gasworks Park all the more attractive to graffiti taggers.

After receiving community complaints regarding the unsightliness at the park, the precinct liaison attorney contacted the Seattle Parks Department which was under the impression they were prohibited from disturbing the towers pursuant to the consent decree, maintenance plan, landmarks preservation ordinance, interior department standards for rehabilitation, parks department safety rules and consultant contracts. In addition, the parks department staff spend hundreds of hours each year cleaning graffiti from other areas of the city and there were budget constraints to consider.

After sorting through the legalities, the parks department agreed to clean off the towers' unsightly graffiti. They also agreed to place the towers on a maintenance program to ensure they remain graffiti free in the future. Since undertaking the

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graffiti removal the parks department has received dozens of "thank yous" from the community and park regulars.

If you haven't visited Gas Works Park lately, please do so. No longer will unsightly graffiti get in the way of your enjoyment of this historic park against the beautiful backdrop of our city. (See photo insert.)

A big thank you to Parks Superintendent Ken Bounds and his management team at Seattle Parks & Recreation for their willingness to tackle this project and go the extra mile.

PIKE-PINE TASK FORCE TACKLES DOWNTOWN CORRIDOR

Tamera Soukup

Representatives from the Pike Pine Task Force recently met with Seattle Deputy Mayor Tim Cies to discuss public safety issues in the Pike-Pine corridor. The corridor serves as the primary link between major hotels, downtown shopping, the waterfront and Pike Place Market, one of the city's top tourist attractions. Over the years the area between First and Third Avenues and Pike and Pine Streets has suffered significant negative impacts due to criminal activity and related behavior. Some of the most alarming activity occurs on a regular basis and includes drug dealing and usage, public inebriation, pedestrian interference, aggressive

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PIKE-PINE TASK FORCE

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panhandling, loitering and public urination.

All of this is very intimidating to people who work, live and visit downtown Seattle.

The task force, comprised of representatives of stakeholder groups, Downtown Seattle Association and city agencies prepared a presentation that articulated how the problems in the corridor financially impact the city as a whole: criminal activities directly impact businesses and the tourist trade which in turn reduces the tax dollars supporting the city's budget. Business impacts include decreased property values, reduction in commercial lease tenants and increased security costs in providing for the safety of employees and customers.

Tourist destinations impacted by corridor activity include the Pike Place Market, waterfront, Trade & Convention Center, shopping district and entertainment venues such as Benaroya Hall and Seattle Art Museum. In 2003, cruise ships delivered thousands of visitors to downtown Seattle, and many experienced fear and intimidation while exploring the Pike-Pine "gauntlet."

During the meeting with Tim Cies, task force members requested support to address the problems of the corridor.

Requests included a significant increase in the number of hours of police staffing in the area, and a dedicated emphasis on cleaning, repairs and maintenance to improve aesthetics and discourage illegal or intimidating behavior.

In order to alleviate some of the drug activity the task force requested that the Mayor's office re-implement the SODA program which allows judges to, as a condition of release or sentencing, prohibit felons from entering certain areas of the city. Other measures included requests to establish a community court model of restorative justice in which misdemeanor defendants are sentenced to community service work where they committed their offenses, strengthen the civility ordinances, relocate the needle exchange, establish a dumpster-free alley program, and expand the Alcohol Impact Area (AIA) program throughout the corridor.

Cies acknowledged the problems in the corridor and pledged to work with community members on finding solutions. While budget constraints make it difficult to secure funding for the West Precinct for additional police staffing, the West Precinct's Captain Mike Stanford is working within these constraints to provide additional emphasis patrol. City agencies are now making concerted efforts to provide regular and consistent cleaning, repair and maintenance in the corridor.

The Metropolitan Improvement District (MID), funded by downtown businesses, also committed to spending an additional \$80,000 to \$100,000 to hire off-duty police officers to patrol the area, and to increasing its budget for cleaning in the area by \$100,000. The MID is also exploring how a dumpster-free alley program could be initiated.

The City Attorney's office is researching the feasibility of creating a community court for misdemeanor defendants, and precinct liaison attorney Tamera Soukup is working with King County Superior Court to re-implement the SODA program. The city's Department of Neighborhoods is also exploring expansion of AIA boundaries to include the corridor.

EMERGENCY PREPAREDNESS & YOU

In an effort to expand the city's preparedness for natural disaster, Block Watch participation in the Seattle Disaster Aid and Response Teams (SDART) program is strongly encouraged. The purpose of the SDART program is to increase personal emergency preparedness activity and help neighborhood block groups become more self sufficient in times of disaster. If you are interested in having a SDART presentation for your block, please contact the SDART office at (206) 233-7123.

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The Seattle City Attorney's
Liaison Links

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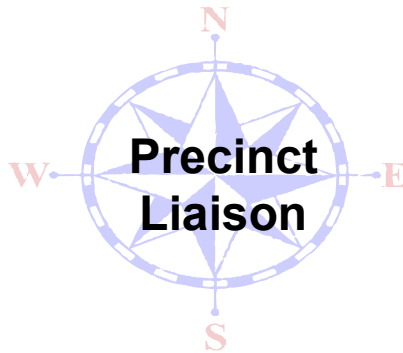
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